

PATENT
Attorney Docket No. A007145

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)	
)	
Phillip MERRICK)	Examiner: St. John Courtenay, III
)	
Serial No. 09/274,979)	Group Art Unit 2151
)	
Filed: March 23, 1999)	
)	
For:)	

LETTER

Commissioner for Patents
U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

Baker Botts is enclosing an Office Action for the above-captioned patent application that was incorrectly sent to us. We received the enclosed Office Action at its Washington, DC offices on May 1, 2002. Although our address appears as the correspondence address for this application, we have no record of this application number on our firm's computer docketing system. A search of the PAIR system revealed that the above-captioned patent application claims priority from two provisional patent application, Application Nos. 60/079,100 and 60/096,909, and is related to U.S. Patent Application No. 09/560,892. During a telephone conference on May 8, 2002, with the Technology Center 2100 Customer Service, we were informed that neither the priority applications nor the related application lists Baker Botts as the correspondence addressee.

PATENT
Attorney Docket No. A007145

Baker Botts respectfully requests that the U.S. Patent and Trademark Office correct the correspondence address information for this application to remove Baker Botts as correspondence addressee.

Respectfully submitted,

BAKER BOTTS L.L.P.

Dated: May 8, 2002

By

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Registration No. 33 470

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MAY-08-2002 13:40

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BAKER BOTTS LLP

fax receipt will not be confirmed by phone unless requested.

202 639 7890 P.01

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TO Examiner St. John Courtenay, III

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FIRM/COMPANY U.S. Patent & Trademark Office

VOICE NO. (703) 308-5217

FROM James Arpin

VOICE NO. (202) 639-7735

DATE May 8, 2002

RETURN TO Darlene Hoskins

PERSONAL FAX NO. (202) 639-7890

PAGES (including cover) 3

MESSAGE

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PATENT
Attorney Docket No. A007145

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Retiree Application of:

Phillip MERRICK

Serial No. 09/274,979

Filed: March 23, 1999

For:

Examiner: St. John Courtenay, III

Group Art Unit 2151

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MAY 13 2002

Technology Center 2100

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Washington, D.C. 20231

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/274,979	03/23/1999	PHILLIP MERRICK	A007145	9188

24735 7590 04/24/2002

BAKER BOTTS LLP
C/O INTELLECTUAL PROPERTY DEPARTMENT
THE WARNER, SUITE 1300
1299 PENNSYLVANIA AVE, NW
WASHINGTON, DC 20004-2400

EXAMINER

COURTENAY III, ST JOHN

ART UNIT PAPER NUMBER

2151

DATE MAILED: 04/24/2002

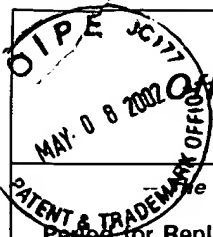


Please find below and/or attached an Office communication concerning this application or proceeding.

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MAY 13 2002

Technology Center 2100



Office Action Summary

Application No. 09/274,979	Applicant(s) Merrick et al.	
Examiner St. John Courtenay III	Art Unit 2151	

The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Mar 23, 1999
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3, 8, 10, 22, 23, 28, 29, 49, 50, 55, 56, 64, 65, 70-75, 90-101 ^{and 110-117} is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 70-75, 90-101, and 110-113 is/are allowed.
- 6) ☒ Claim(s) 1, 3, 8, 10, 22, 23, 28, 29, 49, 50, 55, 56, 64, and 65 is/are rejected.
- 7) ☒ Claim(s) 114-117 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

ST. JOHN COURTENAY III
PRIMARY EXAMINER

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 5
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____

Notice of References Cited

Applicant/Patent
Merrick et al.

Application/Control No.
09/274,979

Examiner
St. John Courtenay III

Art Unit
2151

Page 1 of 1

U.S. PATENT DOCUMENTS

	Document Number Country Code-Number-Kind Code	Date MM-YYYY ¹	Name	Classification ²	
A	6,041,365	6/1997	Kleinerman	709	328
B					
C					
D					
E					
F					
G					
H					
I					
J					
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M					

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FOREIGN PATENT DOCUMENTS

	Document Number Country Code-Number-Kind Code	Date MM-YYYY ¹	Country	Name	Classification ²	
N						
O						
P						
Q						
R						
S						
T						

NON-PATENT DOCUMENTS

	Include, as applicable: Author, Title, Date, Publisher, Edition or Volume, Pertinent Pages
U	Merrick et al., "Web Interface Definition Language (WIDL)", NOTE-widl-970922, http://www.w3.org/TR/NOTE-widl-970922 , Submitted to W3C 22 September 1997, pages 1-16.
V	(no author given), "Extensible Markup Language (XML) - W3C Working Draft 14-Nov-96", http://www.w3.org/TR/WD-xml-961114.html , Nov. 14, 1996, pages 1-28.
W	Bosak, Jon, "XML, Java, and the future of the Web", Sun Microsystems, http://www.ibiblio.org/pub/sun-info/standards/xml/why/xmlapps.htm , March 10, 1997, pages 1-9.
X	

¹ A copy of this reference is not being furnished with this Office action. See MPEP § 707.05(a).

¹ Dates in MM-YYYY format are publication dates.

² Classifications may be U.S. or foreign.